

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MUSTAFA ABDULSALAAM BYRD,

Defendant.

NO. CR18-170 RAJ

ORDER GRANTING STIPULATED  
MOTION TO CONTINUE TRIAL AND  
PRETRIAL MOTIONS DEADLINE

THE COURT has considered the stipulated motion of the parties to continue the trial date and pretrial motions deadline and finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) the additional time requested is a reasonable period of delay, as the defendant has requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

1 (d) the ends of justice will best be served by a continuance, and the ends of justice  
2 outweigh the best interests of the public and the defendant in any speedier trial, as set  
3 forth in 18 U.S.C. § 3161(h)(7)(A); and

4 (e) the additional time requested between the current trial date of January 14,  
5 2019, and the new trial date is necessary to provide counsel for the defendant the  
6 reasonable time necessary to prepare for trial, considering counsel's schedule and all of  
7 the facts set forth above.

8 IT IS THEREFORE ORDERED that the parties' Stipulated Motion (Dkt. #26) is  
9 GRANTED. The trial date in this matter shall be continued from January 14, 2019 to  
10 April 15, 2019.

11 IT IS FURTHER ORDERED that all pretrial motions, including motions in  
12 limine, shall be filed no later than March 7, 2019.

13 IT IS FURTHER ORDERED that the period of delay from the date of this order to  
14 the new trial date of April 15, 2019, is excludable time pursuant to 18 U.S.C. §§  
15 3161(h)(7)(A) and (h)(7)(B)(iv).

16 DATED this 21st day of December, 2018.

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19 The Honorable Richard A. Jones  
20 United States District Judge  
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